

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, DC 20554

In re	)	
	)	
<b>MARITIME COMMUNICATIONS/LAND</b>	)	EB Docket No. 11-71
<b>MOBILE, LLC</b>	)	File No. EB-09-IH-1751
	)	FRN: 0013587779
Participant in Auction No. 61 and Licensee of	)	
Various Authorizations in the Wireless Radio	)	
Services	)	
	)	
Applicant for Modification of Various	)	Application File Nos. 0004030479,
Authorizations in the Wireless Radio Services	)	0004144435, 0004193028, 0004193328,
	)	0004354053, 0004309872, 0004310060,
Applicant with <b>ENCANA OIL AND GAS (USA),</b>	)	0004314903, 0004315013, 0004430505,
<b>INC.; DUQUESNE LIGHT COMPANY; DCP</b>	)	0004417199, 0004419431, 0004422320,
<b>MIDSTREAM, LP; JACKSON COUNTY</b>	)	0004422329, 0004507921, 0004153701,
<b>RURAL MEMBERSHIP ELECTRIC</b>	)	0004526264, 0004636537,
<b>COOPERATIVE; PUGET SOUND ENERGY,</b>	)	and 0004604962
<b>INC.; ENBRIDGE ENERGY COMPANY,</b>	)	
<b>INC.; INTERSTATE POWER AND LIGHT</b>	)	
<b>COMPANY; WISCONSIN POWER AND</b>	)	
<b>LIGHT COMPANY; DIXIE ELECTRIC</b>	)	
<b>MEMBERSHIP CORPORATION, INC.;</b>	)	
<b>ATLAS PIPELINE – MID CONTINENT, LLC;</b>	)	
<b>DENTON COUNTY ELECTRIC</b>	)	
<b>COOPERATIVE, INC. DBA COSERV</b>	)	
<b>ELECTRIC; AND SOUTHERN CALIFORNIA</b>	)	
<b>REGIONAL RAIL AUTHORITY</b>	)	

To: Maritime Communications/Land Mobile, LLC

**ENFORCEMENT BUREAU’S FOURTH SET OF INTERROGATORIES TO  
MARITIME RELATING TO  
NONCONSTRUCTION AND DISCONTINUANCE OF SITE-BASED OPERATIONS**

1. The Enforcement Bureau (“Bureau”), pursuant to Sections 1.311 and 1.323 of the Commission’s rules, 47 C.F.R. §§ 1.311 and 1.323, submits the following interrogatories to Maritime Communications/Land Mobile, LLC.

2. Maritime Communications/Land Mobile, LLC shall deliver its responses to the offices of the Investigations and Hearings Division, Enforcement Bureau, Suite 4-C330, 445 12<sup>th</sup> Street, S.W., Washington, D.C. 20554 (or at some other location that is mutually acceptable to the Bureau and Maritime Communications/Land Mobile, LLC) within 14 days of the date of these interrogatories.

3. The obligation of Maritime Communications/Land Mobile, LLC to answer these interrogatories is continuing in nature. Maritime Communications/Land Mobile, LLC has an obligation to provide in the future any and all additional responsive information that may come to its attention subsequent to its answering these interrogatories but not initially disclosed at the time, date and place set forth herein or in any supplemental answers that it submits. In this regard, Maritime Communications/Land Mobile, LLC must supplement its initial and supplemental responses if it learns that, in some material respect, the responses initially provided, or as supplemented, were incomplete or incorrect or if additional responsive information is acquired by or has become known after its initial or supplemental responses.

#### **Definitions**

a. As used herein, the term “you” or “your” or “Maritime” or “Maritime Communications/Land Mobile, LLC ” means Maritime Communications/Land Mobile, LLC, including all other persons acting or purporting to act on its behalf, including all directors, officers, employees, managers, shareholders, general partners, limited partners, parents, subsidiaries, whether wholly or partially owned, affiliates, divisions, predecessors and successors-in-interest or other affiliated company or business, or agents, including consultants, attorneys, and any other persons working for or on behalf of any of the foregoing during the

period January 1, 2002 through the present. For purposes of this definition, “affiliate” shall include, but not be limited to, Donald R. DePriest.

b. “Site-Based Authorization” or “Site-Based Facilities” or “Site-Based Spectrum” or “Site-Based Licenses” shall mean each authorization identified in Attachment A to *Maritime Communications/Land Mobile, LLC*, Order to Show Cause, Hearing Designation Order, and Notice of Opportunity for Hearing, EB Docket No. 11-71, FCC-11-64, rel. April 19, 2011 (“HDO”) except authorizations WQGF315, WQGF316, WQGF317, and WQGF318.

c. The terms/phrases “referring to,” “relating to” and/or “concerning,” as used herein, shall be interpreted broadly and shall include, but not be limited to, the following meanings: constituting, comprising, evidencing, reflecting, respecting, discussing, referring to, stating, describing, recording, noting, considering, embodying, evaluating, analyzing, mentioning, containing, concerning, regarding, indicating, pertaining to, showing, bearing upon, studying, memorializing, or commenting upon, or any other term synonymous with or similar to the foregoing.

d. “State” and “describe” mean to set forth a complete and detailed statement of all information, circumstances and facts that refer to, relate to, reflect, comprise or bear upon the matter concerning which information is requested.

e. The terms “identify” and “identification” when used in reference to an individual person mean to state his full name, residence and business telephone numbers, and present residence and business addresses if known, and his present or last known title, position and business affiliation.

f. The terms “identify” and “identification” when used in reference to a person other than a natural person mean to state the full and official name of the business entity, its principal place of business, and the main telephone number of such business entity.

g. The terms “identify” and “identification” when used in reference to a document mean to state its date, type (e.g., memo, telecopy, email), and its authors, addressees, title, if any, and, if no title, a brief description of the subject matter of the document and its present or last known location and custodian. If any document once was, but is no longer, in your possession, custody, or control, state what disposition was made of it and the reason for such disposition.

h. The terms “identify” and “identification” when used in reference to any act, activity, practice, policy, effort, event, transaction, negotiation, discussion, conversation, occasion, occurrence, meeting, representation, agreement or communication, mean to: (a) describe the nature and substance of the act, activity, practice, policy, effort, event, transaction, negotiation, discussion, conversation, occasion, occurrence, meeting, representation, agreement or communication; (b) state the date when and place where it occurred; and (c) identify each person who was a participant therein.

i. The term “and” also means “or” and the term “or” also means “and.”

j. The term “each” also means “every” and the term “every” also means “each.”

k. The term “all” also means “any” and the term “any” also means “all.”

l. The term “Document” means the complete original (or in lieu thereof, exact copies of the original) and any non-identical copy (whether different from the original because of notations on the copy or otherwise), regardless of origin or location, of any taped, recorded, transcribed, written, typed, printed, filmed, videotaped, punched, computer-stored, or graphic matter of every type and description, however and by whomever prepared, produced, disseminated, or made, including but not limited to any book, pamphlet, periodical, contract, agreement, correspondence, letter, facsimile, e-mail, file, invoice, memorandum, note, telegram, report, record, handwritten note, working paper, routing slip, chart, graph, photograph, paper, index,

map, tabulation, manual, guide, outline, script, abstract, history, calendar, diary, agenda, minutes, marketing plan, research paper, preliminary drafts, or versions of all of the above, and computer material (print-outs, cards, magnetic or electronic tapes, disks and such codes or instructions as will transform such computer materials into easily understandable form) in the possession, custody, or control of Maritime.

m. “Discussion” means any assembly, congregation, encounter, meeting or conversation between or among two or more individuals for any purpose, whether or not planned, arranged, or scheduled in advance. “Discussion” includes, without limitation, all oral communications, whether or not in person, by telephone (including voicemails and similar recordings), or otherwise, and electronic communications (including emails) between two or more individuals.

n. “Communication” means any discussion or any written or electronic correspondence or recorded voice message of any kind.

o. “Employee” means any director, trustee, officer, employee, partner, corporate parent, subsidiary, affiliate or servant of the designated entity, whether active or retired, full-time or part-time, current or former, and compensated or not.

p. “Representative” means any consultant, expert, attorney, contractor or other individual or entity engaged by the designated entity to perform some task or assignment for the entity.

q. “Entity” means any corporation, company, partnership, proprietorship, joint venture, or business, as well as any governmental unit.

r. “Person” means any natural person or legal entity, including but not limited to any corporation, partnership, proprietorship, firm, trust, association, government entity, organization, or group of persons.

s. “Mobex” shall mean Mobex Network Services, LLC and any predecessor-in-interest, affiliate, parent company, wholly or partially owned subsidiary, other affiliated company or business, and all owners, including but not limited to, partners or principals, and all members, directors, officers, employees, managers or agents, including consultants, attorneys, and any other persons working for or on behalf of the foregoing at any time during the period January 1, 2002 through the present.

t. “Third-Party” shall mean any individual or entity who is not a party to the above-captioned matter.

u. “AMTS service” shall have the same meaning as accorded to this phrase by Maritime in its pleading entitled “Supplemental Responses Per Order FCC 12M-38” as filed on August 9, 2012.

v. “AMTS customers” shall have the same meaning as accorded to this phrase by Maritime in its pleading entitled “Supplemental Responses Per Order FCC 12M-38” as filed on August 9, 2012.

w. “End user subscribers” shall have the same meaning as accorded to this phrase by Maritime in its pleading entitled “Supplemental Responses Per Order FCC 12M-38” as filed on August 9, 2012.

x. “LTR Format” shall refer to the East Coast stations not incorporated into other systems and using the Site-Based Licenses identified in Table 1 attached to Maritime’s Response to Interrogatories filed on October 31, 2012, and as referred to in Maritime’s Response to Interrogatory No. 2 in its Response to Interrogatories filed on October 31, 2012.

y. “Southern California Operation” shall refer to the site-based licenses managed by Radio Network, Inc. d/b/a/ Eagle Communications, and as referred to in Maritime’s Response to

Document Request No. 1 in its Response to Document Production Requests filed on October 31, 2012.

z. “Critical RF Solutions” shall refer to the software-based voice communication and interoperability solutions for public safety, utilities, and other commercial enterprises identified by Critical RF on its web pages located at <http://www.criticalrf.com/> and <http://www.criticalrf.com/Solutions-Overview.html> as of December 10, 2012.

aa. “Critical RF Products” shall refer to the complete suite of solutions that use RoIP and the internet as the common platform to achieve enterprise push-to-talk communications and true interoperability identified by Critical RF on its web pages located at <http://www.criticalrf.com/> and <http://www.criticalrf.com/services.html> as of December 10, 2012.

bb. “Critical RF Customer” shall refer to a customer or subscriber of Critical RF Solutions or Critical RF Products.

### **Instructions**

a. The singular of a term includes the plural number and vice versa, any use of gender includes both genders, and a verb tense includes all other verb tenses where the clear meaning is not distorted by addition of another tense or tenses.

b. With regard to each answer, identify the person(s) or document(s) relied upon by Maritime Communications/Land Mobile, LLC in determining the substance of the answer.

c. Unless otherwise specified, supply all annual data requested on a calendar-year basis; if any basis other than a calendar-year basis is used, such as to accommodate a fiscal-year basis, state as part of the response the nature and type of the basis so used.

d. Unless otherwise specified, supply all information requested for the period January 1, 2002 through the present.

## **INTERROGATORIES**

1. Identify all entities in which Maritime has an ownership interest.
2. Identify the ownership structure of Critical RF.
3. Identify the corporate relationship between Critical RF and Maritime (e.g., parent, subsidiary, affiliate, sister corporation).
4. Identify by name and address each entity or individual who became a Critical RF Customer between December 2005 and the present and identify the date on which these entities or individuals became a Critical RF Customer.
5. For each Critical RF Customer identified in response to Interrogatory No. 4, state whether that entity or individual is still a Critical RF Customer, and if not, identify the date on which they were no longer considered by Critical RF to be a Critical RF Customer.
6. For each Critical RF Customer identified in response to Interrogatory No. 4, above, who became a Critical RF Customer after December 31, 2007, identify, by location or frequency, the Site-Based Spectrum that was used by each such Critical RF Customer in connection with Critical RF Solutions or Critical RF Products.
7. For each Critical RF Customer identified in response to Interrogatory No. 4, above, who became a Critical RF Customer after December 31, 2007, identify, by location or frequency, the Site-Based Spectrum that was contracted for use by each such Critical RF Customer in connection with Critical RF Solutions or Critical RF Products.

8. For each location or frequency of the Site-Based Licenses identified below, identify the date(s) between December 31, 2007 and the present on which each such location or frequency was used in connection with the use or demonstration of Critical RF Solutions or Critical RF Products.

<b>Call Sign</b>	<b>Location/Frequency</b>
KAE889	6
KAE889	12
KAE889	22
WHG693	Block B
WHG701	Block B
WHG702	Block B
WHG703	Block B
WHG705	Block B
WHG706	Block B
WHG707	Block B
WHG708	Block B
WHG709	Block B
WHG710	Block B
WHG711	Block B
WHG712	Block B
WHG713	Block B
WHG714	Block B
WHG715	Block B
WHG716	Block B
WHG717	Block B
WHG718	Block B
WHG719	Block B
WHG720	Block B
WHG721	Block B
WHG722	Block B
WHG723	Block B
WHG724	Block B
WHG725	Block B
WHG726	Block B
WHG727	Block B
WHG728	Block B
WHG729	Block B
WHG730	Block B
WHG731	Block B
WHG732	Block B

<b>Call Sign</b>	<b>Location/Frequency</b>
WHG733	Block B
WHG734	Block B
WHG735	Block B
WHG736	Block B
WHG737	Block B
WHG738	Block B
WHG739	Block B
WHG740	Block B
WHG741	Block B
WHG742	Block B
WHG743	Block B
WHG744	Block B
WHG745	Block B
WHG746	Block B
WHG747	Block B
WHG748	Block B
WHG749	Block B
WHG751	Block B
WHG752	Block B
WHG753	Block B
WHG754	Block B
WHV733	1
WHV733	2
WHV733	3
WHV740	2
WHV843	1
WHV843	5
WHV843	6
WRV374	8
WRV374	14
WRV374	19
WRV374	20
WRV374	22
WRV374	23
WRV374	26
WRV374	34
WRV374	35
WRV374	40

9. For the location or frequency of the Site-Based Licenses identified below, identify the date(s) between December 31, 2007 and February 2010 on which the location or frequency was

used in connection with the use or demonstration of Critical RF Solutions or Critical RF Products.

<b>Call Sign</b>	<b>Location/Frequency</b>
WHG750	Block B

10. For each location or frequency of the Site-Based Licenses identified below, identify the date(s) between December 31, 2007 and March 2010 on which each such location or frequency was used in connection with the use or demonstration of Critical RF Solutions or Critical RF Products.

<b>Call Sign</b>	<b>Location/Frequency</b>
KAE889	4
KAE889	20
KAE889	30
KAE889	34
KAE889	48

11. For each location or frequency of the Site-Based Licenses identified below, state the date on which each such location or frequency was last used in connection with the use or demonstration of Critical RF Solutions or Critical RF Products.

<b>Call Sign</b>	<b>Location/Frequency</b>
KAE889	4
KAE889	20
KAE889	30
KAE889	34
KAE889	48
KAE889	6
KAE889	12
KAE889	22
WHG693	Block B
WHG701	Block B
WHG702	Block B
WHG703	Block B
WHG705	Block B
WHG706	Block B

<b>Call Sign</b>	<b>Location/Frequency</b>
WHG707	Block B
WHG708	Block B
WHG709	Block B
WHG710	Block B
WHG711	Block B
WHG712	Block B
WHG713	Block B
WHG714	Block B
WHG715	Block B
WHG716	Block B
WHG717	Block B
WHG718	Block B
WHG719	Block B
WHG720	Block B
WHG721	Block B
WHG722	Block B
WHG723	Block B
WHG724	Block B
WHG725	Block B
WHG726	Block B
WHG727	Block B
WHG728	Block B
WHG729	Block B
WHG730	Block B
WHG731	Block B
WHG732	Block B
WHG733	Block B
WHG734	Block B
WHG735	Block B
WHG736	Block B
WHG737	Block B
WHG738	Block B
WHG739	Block B
WHG740	Block B
WHG741	Block B
WHG742	Block B
WHG743	Block B
WHG744	Block B
WHG745	Block B
WHG746	Block B
WHG747	Block B
WHG748	Block B
WHG749	Block B

<b>Call Sign</b>	<b>Location/Frequency</b>
WHG750	Block B
WHG751	Block B
WHG752	Block B
WHG753	Block B
WHG754	Block B
WHV733	1
WHV733	2
WHV733	3
WHV740	2
WHV843	1
WHV843	5
WHV843	6
WRV374	8
WRV374	14
WRV374	19
WRV374	20
WRV374	22
WRV374	23
WRV374	26
WRV374	34
WRV374	35
WRV374	40

12. For each location or frequency of the Site-Based Facilities using the LTR Format, state whether it provided AMTS service to end user customers or subscribers, and if so, identify the dates such service was provided for each such location or frequency of the Site-Based Facility.

13. For each location or frequency of the Site-Based Facilities using the LTR Format, identify the last date on which each such location or frequency provided AMTS service to end user customers or subscribers.

14. Identify the Site-Based Licenses managed by Radio Network, Inc. d/b/a/ Eagle Communications.

15. Identify the Site-Based Licenses that were part of the Southern California Operation.

16. Identify the last date on which Maritime provided AMTS service to end-user customers or subscribers for the Southern California Operation.

17. Identify the last date on which Maritime provided AMTS service to end-user customers or subscribers for the Site-Based Licenses managed by Radio Network, Inc. d/b/a/ Eagle Communications.

Respectfully,

P. Michele Ellison  
Chief, Enforcement Bureau



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Pamela S. Kane  
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December 10, 2012

## CERTIFICATE OF SERVICE

Makia Day, an Enforcement Analyst in the Enforcement Bureau's Investigations and Hearings Division, certifies that she has on this 10th day of December, 2012, sent by first class United States mail copies of the foregoing "Enforcement Bureau's Fourth Set of Interrogatories to Maritime Relating to Nonconstruction and Discontinuance of Site-Based Operations" to:

The Honorable Richard L. Sippel  
Chief Administrative Law Judge  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554 (by hand, courtesy copy)

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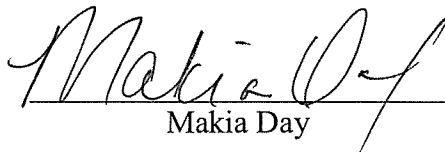
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